

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

<b>NAOMI ANDERSON, INDIVIDUALLY AND AS NEXT FRIEND ON BEHALF OF MINOR, J.O. Plaintiffs</b>	§ § § § § § § § § §	<b>CIVIL ACTION      NO. 1:13-CV-612     JURY</b>
<b>VS.</b>		
<b>WAL-MART STORES TEXAS, L.L.C. Defendant</b>		

**FINAL JUDGMENT**

BE IT REMEMBERED that on this date came all of the parties in the above entitled and numbered cause, by and through their attorneys of record, next friend, and ad litem, and announced ready for trial, and a jury having been waived, all matters of fact and of law were submitted to the Court; and the Court, being fully advised in the premises, makes the following findings of fact based upon the evidence adduced upon said trial, to wit:

- (a) The Minor Plaintiff, J.O., at the time of the incident made the basis of this lawsuit, was a resident of Hardin County, Texas;
- (b) Attorney Christopher J. Sachitano is a fit and proper person to represent the Minor Plaintiff as Ad Litem;
- (c) The Plaintiff and Next Friend, Naomi Anderson, is a resident of Hardin County, Texas;
- (d) The Defendant, Wal-Mart Stores Texas, LLC, is a limited liability corporation which is domiciled outside the state of Texas and which does business in the State of Texas;
- (e) The damages as alleged by Plaintiff, Individually and as Next Friend of the Minor Plaintiff, exceed the minimal jurisdictional limits of this Court and this Court has jurisdiction of the persons and of the subject matter of this cause.

Thereupon, it was announced in open Court that an agreement has been reached between the parties to compromise and settle all matters in dispute herein, subject to the approval of the Court, the Defendant denying any and all liability, but having offered to pay, upon entry of this Judgment, the following sum to or on behalf of the Minor Plaintiff, J.O., to wit a total of SEVENTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$17,500.00) to be paid as follows:

- (1) To the Registry of the United States District Clerk for the Eastern District of Texas for the use and benefit of Minor J.O. the sum of NINE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$9,700.00), which sum shall be transferred by the United States District Clerk to an interest bearing account where said sum and any interest accruing therefrom shall remain until said Minor attains majority age or until further order of the Court;
- (2) To TMP/Medicaid or its authorized agent the sum of ONE THOUSAND TWO HUNDRED NINETY-THREE AND 86/100 DOLLARS (\$1,293.86) as payment for benefits provided to or on behalf of Minor J.O. as a result of the accident; and,
- (3) To Naomi Anderson for the use and benefit of Minor J.O. and the Juhan Law Office the sum of SIX THOUSAND FOUR HUNDRED NINETY FOUR AND 65/100 DOLLARS (\$6,494.65). Out of this sum, the following amounts shall be paid:
  - (a) FIVE THOUSAND SEVEN HUNDRED FIFTY-ONE AND 49/100 DOLLARS (\$5,751.49) as payment for attorney's fees, and
  - (b) SEVEN HUNDRED FIFTY-FOUR AND 65/100 DOLLARS (\$754.65) for other expenses;

and the Court being of the opinion and having determined and found from the evidence offered in open Court that said proposed compromise and settlement was reasonable and just, and the Court having approved and confirmed said compromise and settlement;

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the proposed compromise and settlement be and the same is hereby in all things approved and confirmed.

It is further ORDERED, ADJUDGED and DECREED that Naomi Anderson do have and recover of and from the Defendant, nothing.

It is further ORDERED, ADJUDGED and DECREED by the Court that J.O., a Minor, suing

by and through his Next Friend, Naomi Anderson, and Ad Litem, Christopher J. Sachitano, do have and recover the sums set forth above, with said sum of NINE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$9,700.00) to be placed into the Registry of the United States District Clerk for the Eastern District of Texas on behalf of Minor J.O. and thereafter to be transferred to an interest-bearing account with the United States District Clerk for the Eastern District of Texas named as Trustee where said sum and any interest accruing therefrom shall remain until said Minor attains majority age, after which time and upon verification in the form of identification acceptable to the United States District Clerk for the Eastern District of Texas by J.O. that he has attained majority age, the Court hereby authorizes the United States District Clerk for the Eastern District of Texas to release to J.O. said sum and any interest accruing therefrom.

It is further ORDERED by the Court that the sum of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) be paid by Defendant to Ad Litem Christopher J. Sachitano as full and final payment of his Ad Litem fees in this case. This Ad Litem fee shall not be paid out of the SEVENTEEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$17,500.00).

It is further ORDERED, ADJUDGED and DECREED by the Court that no taxable costs be assessed against any party.

It further appearing to the Court, and the Court having found that simultaneously with the signing and entry of this Judgment, the full amount thereof has been in all things fully and finally paid as provided herein, and that said Judgment has been in all things satisfied.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that no execution shall issue herein, and that such Judgment shall stand in all things fully and finally paid, satisfied and released.

All relief sought herein which is not expressly granted, is denied. This is a FINAL JUDGMENT and is intended to dispose of all claims and causes of action by and between all parties.

SIGNED at Beaumont, Texas, this 17th day of September, 2014.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a large, stylized "M" and "C".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

*/s/ Jonathan Juhan*

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JONATHAN JUHAN  
ATTORNEY FOR PLAINTIFF,  
NAOMI ANDERSON, INDIVIDUALLY AND AS  
NEXT FRIEND OF MINOR PLAINTIFF, J.O.

*/s/ Christopher J. Sachitano*

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CHRISTOPHER J. SACHITANO  
AD LITEM FOR MINOR PLAINTIFF, J.O.

*/s/ Karen L. Spivey*

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KAREN L. SPIVEY  
ATTORNEY FOR DEFENDANT,  
WAL-MART STORES TEXAS, LLC